

PATENT APPLICATION FEE DETERMINATION RECORD

Effective December 8, 2004

Application or Docket Number
10/531958

CLAIMS AS FILED - PART I

| | (Column 1) | (Column 2) |
|---|---|--|
| U.S. NATIONAL STAGE FEES | | |
| BASIC FEE | SMALL ENT. = \$ 150 | LARGE ENT. = \$ 300 |
| EXAMINATION FEE | Satisfies PCT Article 33(1)-(4) = \$ 60 / \$ 100 | All other situations = \$ 100 / \$ 200 |
| SEARCH FEE | U.S. is ISA = \$ 50 / \$ 100 ALL other countries = \$ 200 / \$ 400 | All other situations = \$ 250 / \$ 500 |
| FEE FOR EXTRA SPEC. PGS. | 157 minus 100 = | 2150 = |
| TOTAL CHARGEABLE CLAIMS | 30 minus 20 = | 10 |
| INDEPENDENT CLAIMS | 2 minus 3 = | |
| MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/> | | |

* If the difference in column 1 is less than zero, enter "0" in column 2

SMALL ENTITY TYPE ☐ OR

OTHER THAN SMALL ENTITY

| RATE | FEE |
|------------|-----|
| BASIC FEE | |
| EXAM. FEE | |
| SEARCH FEE | |
| X \$ 125 = | |
| X \$ 25 = | |
| X \$ 100 = | |
| + \$ 180 = | |
| TOTAL | |

OR

| RATE | FEE |
|------------|-----|
| BASIC FEE | 200 |
| EXAM. FEE | 100 |
| SEARCH FEE | 100 |
| X \$ 250 = | 500 |
| X \$ 50 = | |
| X \$ 200 = | |
| + \$ 360 = | |
| TOTAL | |

CLAIMS AS AMENDED - PART II

4.19.05

| | (Column 1) | | (Column 2) | (Column 3) |
|---|----------------------------------|-------|------------------------------------|---------------|
| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
| Total | * 30 | Minus | ** 30 | = — |
| Independent | * 2 | Minus | *** 3 | = — |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/> | | | | |

SMALL ENTITY TYPE ☐ OR

OTHER THAN SMALL ENTITY

| RATE | ADDITIONAL FEE |
|------------------|----------------|
| X \$ 25 = | |
| X \$ 100 = | |
| + \$ 180 = | |
| TOTAL ADDIT. FEE | |

OR

| RATE | ADDITIONAL FEE |
|------------------|----------------|
| X \$ 50 = | |
| X \$ 200 = | |
| + \$ 360 = | |
| TOTAL ADDIT. FEE | |

3.3.06

| | (Column 1) | | (Column 2) | (Column 3) |
|---|----------------------------------|-------|------------------------------------|---------------|
| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
| Total | * 38 | Minus | ** 30 | = 8 |
| Independent | * 13 | Minus | *** 3 | = 10 |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/> | | | | |

| RATE | ADDITIONAL FEE |
|------------------|----------------|
| X \$ 25 = | |
| X \$ 100 = | |
| + \$ 180 = | |
| TOTAL ADDIT. FEE | |

OR

| RATE | ADDITIONAL FEE |
|------------------|----------------|
| X \$ 50 = | 400 |
| X \$ 200 = | 2000 |
| + \$ 360 = | |
| TOTAL ADDIT. FEE | 2400 |

PD.

- * If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 - ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than "20", enter "20".
 - *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than "3", enter "3".
- The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

United States Patent and Trademark Office
- Sales Receipt -

04/12/2006 TDAWKINS 00000002 501353 10531958

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]

Date: February 28, 2006

/Sonia V. McVean/

Sonia V. McVean

DOCKET NUMBER

38195.74

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | |
|---|--------------------------------|
| In re. application of : Akio TOSHIMA et al. | International Application No.: |
| Serial No.: 10/531,958 | PCT/JP03/10733 |
| Filing or 371 (c) Date: | International Filing Date: |
| For: OPTOMETRIC APPARATUS AND LENS POWER DETERMINATION METHOD | August 26, 2003 |

PRELIMINARY AMENDMENT

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Prior to examination on the merits of the above-identified patent application, Applicant respectfully requests entry and consideration of the following Amendment.

- ☒ **Amendments to the Specification** begin on page 2 of this paper.
- ☐ **Amendments to the Drawings** begin on page of this paper and include an attached replacement sheet.
- ☒ **Amendments to the Claims** are reflected in the listing of the claims which begins on page 5 of this paper.
- ☒ **Remarks/Arguments** begin on page 26 of this paper

Please note, if a box is not checked, then no corresponding amendment is being made.

REMARKS

Claims 31-68 are pending in this application. By this Preliminary Amendment, Applicants AMEND the Abstract of the Disclosure, CANCEL claims 1-30, and ADD new claims 31-68.

Applicants have attached hereto a Substitute Specification in order to make corrections of minor informalities contained in the originally filed specification. Applicants' undersigned representative hereby declares and states that the Substitute Specification filed concurrently herewith does not add any new matter whatsoever to the above-identified patent application. Accordingly, entry and consideration of the Substitute Specification are respectfully requested.

The changes to the specification have been made to correct minor informalities to facilitate examination of the present application.

Applicants respectfully submit that this application is in condition for allowance. Favorable consideration and prompt allowance are respectfully solicited.

Respectfully submitted,

Date: February 28, 2006

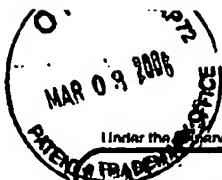
/Christopher A. Bennett #46,710/

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3/3/2006 10:10:10

PCT

PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 2,200.00

Complete if Known

Application Number 10/531,958

Filing Date

First Named Inventor February 28, 2005

Examiner Name

Art Unit 2873

Attorney Docket No. 38195.74

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):

☒ Deposit Account Deposit Account Number: 50-1353 Deposit Account Name: Keating & Bennett, LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below

☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17

☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
| | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims Extra Claims Fee (\$) Fee Paid (\$)
38 - 20 or HP = 8 x 50.00 = 400.00

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims Extra Claims Fee (\$) Fee Paid (\$)
12 - 3 or HP = 9 x 200.00 = 1,800.00

HP = highest number of independent claims paid for, if greater than 3.

Small Entity
Fee (\$) Fee (\$)
50 25
200 100
360 180

Multiple Dependent Claims
Fee (\$) Fee Paid (\$)
0 0

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$)
44 - 100 = 0 / 50 = 0 (round up to a whole number) x 250.00 = 0

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 0

Fees Paid (\$)
0
0

SUBMITTED BY

| | | | |
|-------------------|----------------------------------|---|------------------------|
| Signature | /Christopher A. Bennett #46,710/ | Registration No. (Attorney/Agent) 46,710 | Telephone 703-637-1480 |
| Name (Print/Type) | Christopher A. Bennett | | Date February 28, 2005 |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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